

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF WISCONSIN
3 * * * * *

4 ESTATE OF MICHAEL EDWARD BELL, by Special
5 Administrator Michael Martin Bell, KIM MARIE
6 BELL, MICHAEL MARTIN BELL, and SHANTAE BELL,
7 Plaintiffs,

8 vs. Civil Action No. 05-C-1176

9 OFFICER ERICH S. STRAUSBAUGH, OFFICER ERICH S.
10 WEIDNER, LIEUTENANT DAVID H. KRUEGER, OFFICER
11 ALBERT B. GONZALES, KENOSHA POLICE DEPARTMENT,
12 CITY OF KENOSHA,
13 Defendants.

14 * * * * *

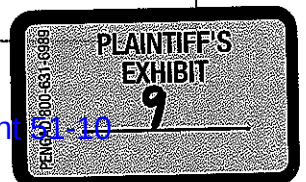
15 VIDEOTAPED DEPOSITION OF ERICH WEIDNER

16 TAKEN AT: KENOSHA CITY HALL
17 LOCATED AT: 625 52nd Street
18 Kenosha, Wisconsin
19 April 30, 2007
20 3:08 p.m. to 3:55 p.m.

21 REPORTED BY ANNICK M. TRIMBLE
22 REGISTERED PROFESSIONAL REPORTER

23 * * * * *

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1 A I was not kneeing Michael Bell, no.

2 Q Was Officer Strausbaugh delivering knee strikes

3 to Mr. Bell at this point?

4 A I'm not sure if it was that point.

5 Q Did you ever see any of the officers involved

6 with Mr. Bell in the backyard area here,

7 driveway area, kick Mr. Bell?

8 A No.

9 Q At this point in time when you and Mr. Bell and

10 Officer Strausbaugh are struggling on the

11 ground did you attempt to cuff Mr. Bell?

12 A Yes.

13 Q How did you attempt to cuff him?

14 A We had him on the ground. When he got to his

15 knees with his back bent and his head towards

16 the ground, I was holding -- had my weight on

17 his top shoulder area of his left side of me.

18 He began to place his hands on the ground,

19 planting his hands on the ground and doing sort

20 of like a pushup with me on top of me, and when

21 I realized that his -- his wrist was open and

22 wasn't stuck underneath his body I then reached

23 around and grabbed my handcuffs and my only

24 free hand at the time was my left hand. I put

25 him -- put my handcuffs in my left hand and

1 reached down to handcuff the left wrist and as
2 soon as I got -- made contact with his wrist
3 before the ratcheting Mr. Bell moved his hand
4 out of the way and the handcuffs went to the
5 ground with me and he fell. Then he wasn't on
6 his hands no more and he fell back to the
7 ground.

8 Q What did you do with those handcuffs after
9 that?

10 A I started losing control of them, so I let go
11 of them.

12 Q And eventually did you retrieve them before the
13 night was over?

14 A Yes.

15 Q Did you retrieve them before they were
16 categorized or cataloged as evidence?

17 A Yes.

18 Q Where were they when you retrieved them?

19 A The spot that I dropped them.

20 Q Can you show us in relation to the mark you
21 just made on that exhibit where the handcuffs
22 would have been located?

23 A It was in that -- in the circled area, in the
24 vicinity of that circled area. I couldn't tell
25 you exactly.